

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARNOLD V HENRY,

Plaintiff,

Case No. 24-cv-10595

Honorable Linda V. Parker

v.

PARR-MIRZA, B. SCHASCHKO,
ANGELA JOSEPH, and JOHN DOE,

Defendants.

_____/

**ORDER GRANTING DEFENDANT’S MOTION TO EXCLUDE THE CASE
FROM EARLY MEDIATION (ECF No. 12)**

Plaintiff, a prisoner in the custody of the Michigan Department of Corrections, filed a civil rights complaint under 42 U.S.C. § 1983. Plaintiff was given notice of the Court’s Pro Se Early Prisoner Mediation Program for possible resolution (ECF No. 3), however, the case has not been sent to mediation. Additionally, the U.S. Marshals were ordered to execute service on Defendants. (ECF No. 6).

Although the case has not been sent to mediation, Defendant Bruce Schaschko (referred to in the complaint as B. Schaschko) has appeared through

counsel and filed a motion to exclude the case from early mediation.¹ (ECF No. 12). Even if the case was deemed eligible for mediation and was sent to mediation, because participation in the program is voluntary and considering Schaschko's desire not to participate in mediation, the motion to exclude the case from early mediation is GRANTED.

SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: June 6, 2024

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, June 6, 2024, by electronic and/or U.S. First Class mail.

s/Aaron Flanigan
Case Manager

¹ Defendant Parr-Mirza has appeared through counsel and filed a motion for summary judgment on the basis of exhaustion. (ECF No. 12). It appears that Defendant Angela Joseph has yet to be served.